

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION, :  
 : 19 Civ. 9439 (PKC)  
Plaintiff, :  
 :  
-against- : **ECF Case**  
 : **Electronically Filed**  
TELEGRAM GROUP INC. and TON ISSUER :  
INC, :  
 :  
 :  
Defendants. :  
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**DECLARATION OF SCOTT D. MUSOFF**

I, Scott D. Musoff, declare under penalty of perjury that the following is true and correct:

1. I am a member of Skadden, Arps, Slate, Meagher & Flom LLP (“Counsel”), attorneys for the Defendants in the above captioned action. I am an attorney duly admitted to practice before this Court.

2. I respectfully submit this declaration in Further Support of Defendants’ Motion for Summary Judgment and to transmit true and correct copies of the following documents:

- Exhibit 1: Excerpts of the deposition transcript of Pavel Durov, taken by Plaintiff in this litigation between January 7 and 8, 2020.
- Exhibit 2: A January 14, 2018 email, produced by Plaintiff in this litigation with the starting bates stamp of SEC-LIT-EPROD-000020721.
- Exhibit 3: Excerpt of a chat log between Pavel Durov, Ilya Perekopsky, Shyam Parekh and John Hyman, produced by Defendants in this litigation with the starting bates stamp TLGRM-028-00000015.
- Exhibit 4: A December 17, 2017 email, produced by Defendants in this litigation with the starting bates stamp TLGRM-019-00001573.
- Exhibit 5: A January 27, 2020 email from a purchaser to Telegram, produced by Defendants in this litigation with the starting bates stamp of TLGRM-032-00000001, and the attachment to that email, produced

by Defendants in this litigation with the starting bates stamp of TLGRM-032-00000003.

Exhibit 6: Excerpt of a chat log between Ilya Perekopsky and a purchaser, produced by Defendants in this litigation with the starting bates stamp TLGRM-017-00000492.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on: New York, New York  
January 27, 2020

/s/ Scott D. Musoff  
Scott D. Musoff